

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

FILED

SEP 26 2022

Clerk, U. S. District Court
Eastern District of Tennessee
At Knoxville

UNITED STATES OF AMERICA

v.

(1) 2012 FORD FUSION, TN LICENSE PLATE
544BDSY, VIN: 3FAHP0HA5CR401906;

(2) 2006 GMC SIERRA, TN LICENSE PLATE
1U82V9, VIN: 1GTEC19T46Z147636; AND

(3) MARLIN FIREARMS CO. MODEL 795, .22
CALIBER RIFLE, SERIAL NO: MM90180I

Case No. 3:22-CV- 336

Judges _____ / _____

AFFIDAVIT IN SUPPORT OF VERIFIED COMPLAINT IN REM

I, Thomas Calhoun, Special Agent of the Federal Bureau of Investigation, being duly sworn, state the following is true and correct to the best of my knowledge:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with the FBI and have been so employed for over 24 years. From October 1998 to January 2005, I was assigned to the FBI's Miami Field Office, where I focused my investigative activities on organized crime. From January 2005 to August 2009, I was assigned to the Eureka Resident Agency of the FBI's San Francisco Field Office, where I investigated a broader variety of federal crimes, including a focus on drug and violent incident crimes. From August 2009 to March 2020, I was assigned to the St. Croix Resident Agency of the FBI's San Juan Field Office where I again investigated a broad variety of federal crimes, to include a focus on public corruption and violent incident crimes. Since March 2020, I have been assigned to the FBI's Knoxville Field Office, where I investigate matters of domestic terrorism.

I am experienced in authoring affidavits for search and seizure warrants and complaints and have been granted search and seizure warrants and arrest warrants based upon those affidavits.

PROPERTY FOR FORFEITURE

2. This affidavit supports civil forfeiture of the following property: (1) 2012 Ford Fusion, TN License Plate 544BDSY, VIN: 3FAHP0HA5CR401906 (“**VEHICLE 1**”); (2) 2006 GMC Sierra, TN License Plate 1U82V9, VIN: 1GTEC19T46Z147636 (“**VEHICLE 2**”); and (3) Marlin Firearms Co. Model 795, .22 Caliber Rifle, Serial No: MM90180I (“**FIREARM 1**”).

3. Based on my training, experience, and the facts set forth below, there is probable cause to believe that these properties were used by Mark Thomas Reno (“Reno”) to commit violations of 18 U.S.C. §§ 844(i) (Arson) and 1361 (Destruction of Government Property). These properties are therefore forfeitable to the United States pursuant to 18 U.S.C. §§ 844(c) and 981(a)(1)(G)(iii).

4. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents, witnesses, and agencies. Because this affidavit is for the limited purpose of a Verified Complaint *In Rem*, it contains only a summary of the relevant facts. I have not included each and every fact known to me concerning this investigation.

OVERVIEW OF THE CRIMINAL ACTIVITY

5. As described in further detail below, since early 2021 Reno has engaged in a series of violent acts of property destruction in Knoxville. Specifically, in January 2021, Reno intentionally damaged the Planned Parenthood – Knoxville Health Center (hereinafter, the “Center”) using **VEHICLE 1**. Less than a year later, in December 2021, Reno intentionally set fire to the Center, resulting in the Center burning down. Reno used **VEHICLE 2** in the

commission of this arson. Most recently, on July 3, 2022, Reno intentionally damaged the John J. Duncan Federal Building (hereinafter “Federal Building”) in Knoxville using **VEHICLE 1** and **FIREARM 1**.

TRACING THE PROPERTY

January 2021 Shooting at the Center in Knoxville, TN

6. On January 22, 2021, the 48th anniversary of *Roe v. Wade*, at approximately 5:55am, Reno, sitting in the driver’s seat of **VEHICLE 1**, fired an incendiary projectile from a shotgun into the front entrance of the Center. The Center is owned by Planned Parenthood of TN and North Mississippi and provides reproductive health services to clients residing in Tennessee and other states.

7. Video footage of the incident and witness accounts identified a white male in a black sedan as the suspect. Prior to the shooting, the sedan made several passes through the parking lot and briefly parked on Washington Avenue.

8. At approximately 5:51am, a witness (“Witness-1”) approached the sedan and saw a white male wearing a hat and a white bandana with a black pattern, covering his nose and mouth, holding a pump action silver and black shotgun in the driver’s seat. Witness-1 fled and the sedan drove through the parking lot again. At approximately 5:55am, the suspect fired a shotgun from the driver’s seat of the sedan through the open window of the sedan, hitting the glass door of the Center before driving away. The Knoxville Police Department (“KPD”) recovered a shotgun shell wad in the vicinity of the front door of the Center.

9. Screen shot images of the sedan, taken from surveillance video, were sent to the National Insurance Crime Bureau (“NICB”).¹ NICB identified the sedan as likely a 2012 Ford Fusion SE, based on the assumption the wheels were original to the vehicle.

10. On July 18, 2022, the FBI executed court-authorized searches of Reno’s residence, **VEHICLE 1**, and **VEHICLE 2**. During the searches, the FBI recovered a large quantity of ammunition including a variety of shotgun shells. A representative sample of the seized shotgun shells was sent to the FBI Laboratory for analysis to compare the shotgun shell wad, recovered by KPD from the Center on January 22, 2021, with wads from the shotgun shells recovered during the searches.²

11. The FBI Laboratory determined that a wad from a 12-gauge shotgun shell recovered from Reno’s residence was physically consistent with the 12-gauge shotgun shell wad recovered by KPD from the Center. The matched shotgun shell (containing the wad) seized from Reno’s residence was of an unknown manufacturer but contained the components of a type of shotgun shell ammunition known as “Dragon’s Breath.” Based on open-source information, Dragon’s Breath is an incendiary shotgun shell and consists primarily of magnesium pellets or shards. When fired, flames can travel more than 100 feet from the end of the shotgun barrel. A review of Reno’s internet search history obtained pursuant to a court-authorized search of Reno’s cellphone revealed that Reno conducted an internet search for “Dragons breath shotgun shells.”

¹ NICB is not-for-profit organization dedicated to fighting insurance fraud and crime. NICB commonly works with local, state, and federal law enforcement agencies and provides assistance with vehicle identification services including identifying burned or stolen vehicles as well as searching for and identifying vehicles that have been involved in major crimes.

² A wad, typically made of plastic, is a component of a shotgun shell.

12. During the search of **VEHICLE 1**, Reno's 2012 Ford Fusion, the FBI located a white bandana with a black pattern. During the search of **VEHICLE 2**, the FBI located a shotgun with a dark and light-colored camouflage pattern.

December 2021 Arson at the Center in Knoxville, TN

13. On December 31, 2021, at approximately 6:25am, Reno, using **VEHICLE 2**, set fire to Center, resulting in the Center burning down.

14. At approximately 6:39am, the Knoxville Fire Department ("KFD"), responded to the structure fire at the Center. KFD units arrived at the location and observed fire showing from the roof of the Center. KFD brought the fire under control after several hours. The Center was unoccupied at the time of the fire and under construction for interior renovations and an addition.

15. Investigators spoke with the original 911 caller ("Witness-2"). Witness-2 stated that she observed a red Chevrolet pick-up truck parked in the alley to the southeast of 710 North Cherry Street. Witness-2 then returned inside to obtain items to place inside Witness-2's vehicle. As Witness-2 returned to Witness-2's vehicle, Witness-2 observed an unknown individual walking away from the building and returning to the red pick-up truck. Witness-2 then observed the red pick-up truck traveling down the alley at a rapid speed without its head lights on. Witness-2 then returned to Witness-2's residence. A few minutes later when Witness-2 left Witness-2's residence, Witness-2 saw that the alley was filled with smoke and called 911.

16. On December 31, 2021, investigators obtained and reviewed surveillance footage from a business located on the west side of North Cherry Street. One of the cameras captured a red pick-up truck leaving the alley without headlights on at approximately 6:32am, and then traveling north on North Cherry Street in the direction of Interstate 40.

17. On January 3 and 4, 2022, investigators reviewed surveillance video from the Center. The review of that video revealed a red pick-up truck arrive at approximately 6:00am. The red pick-up truck is seen turning right onto Washington Avenue from North Cherry Street. The red pick-up truck then ultimately parks in the alley to the south of the Center. The surveillance video from the Center also shows an individual walking around the Center for several minutes. At approximately 6:26am, the surveillance camera located on the southeast corner of the Center captures a glow near the north side of the Center. After the glow begins, the individual is observed walking back to the red pick-up truck. The individual then enters the red pick-up truck and drives off. The glow captured on the surveillance camera was consistent with the light emitted from a structure fire.

18. While processing the crime scene of the fire, KFD requested deployment of the TBI Accelerant Detection Canine. Accelerants are substances used to aid or speed up the spread of fire. The Accelerant Detection Canine searched the remains of the Center and alerted to the presence of an accelerant amongst the fire debris, by placing its nose directly into the fire debris. Samples were taken from the crime scene and sent to the Bureau of Alcohol, Tobacco, Firearms, and Explosives (“ATF”) for further analysis.

19. On January 27, 2022, the ATF produced a laboratory report for the fire at the Center. The ATF report identified the accelerant as gasoline, which is an ignitable liquid, on one of three tested exhibits collected from the debris. After preliminary investigation and confirmation of an accelerant amongst the fire debris, KFD concluded the fire at the Center was intentionally set, and therefore ruled this fire an arson.

20. Screen shot images of the red pick-up truck, taken from surveillance video of the arson, were sent to NICB. Based on the photos, NICB identified the vehicle as likely a 2003-2006 red GMC Sierra truck.

21. On July 18, 2022, the FBI executed court-authorized searches of Reno's residence, **VEHICLE 1**, and **VEHICLE 2**. During the search of **VEHICLE 2**, Reno's 2006 red GMC Sierra, law enforcement personnel recovered a red gasoline container and seven matchbooks.

22. During the search of Reno's residence, agents located two books on top of Reno's desk which contained instructions on how to make improvised explosive devices and incendiaries.

23. The FBI also conducted a court-authorized search of Reno's cellphone. Reno's cellphone contained a photograph of the Center taken seven days after the arson, a screenshot of a discussion between unknown individuals over a social media application discussing the arson at the Center, and an internet search history for Planned Parenthood facilities.

24. The search of Reno's cellphone also revealed a text message communication between Reno and another individual in which Reno sent a link to a news article about the arson at the Center with the following message, "we were busy in THE CULT OF JESUS."

25. Screenshot images of the arsonist and the red pick-up truck, taken from surveillance video of the arson at the Center, were presented to a member of Reno's family ("Witness-3"). Witness-3 identified the individual in the screenshot as Reno and the red pick-up truck as Reno's red 2006 GMC Sierra.

July 3, 2022 Destruction of Property at the Federal Building

26. On January 23, 2022, a plain clothed KFD Investigator (the “F.I.”) identified a red GMC Sierra pick-up truck, **VEHICLE 2**, parked on a public street in Knoxville near a public gathering downtown. Upon seeing **VEHICLE 2**, the F.I. believed it to be the same truck from the surveillance video of the arson at the Center on December 31, 2021. Based on this belief, the F.I. approached **VEHICLE 2** and asked for directions from the driver, later identified as Reno. The F.I. did not identify himself as a KFD fire investigator. During this conversation, Reno told the F.I. that he (Reno) was part of a group called the Church Militant Resistance. Open-source information identified the Church Militant Resistance as local chapter of the Church Militant, whose mission is to resist actions that oppose the Catholic Orthodoxy and/or decency, to include abortion. Reno further told the F.I. that Reno was willing to fight for his beliefs and not just talk, and that the neighborhood was a better place since the Center had burned down.

27. On April 26, 2022, Reno attended a public gathering near the Center. The F.I., while wearing a video and audio recording device, surreptitiously recorded the conversation between the F.I. and Reno. During the conversation, Reno made several statements about the destruction of the Center and a plan to burn the Center when reconstruction began. Reno also indicated that he had conducted surveillance on the remaining clinic (Knoxville Center for Reproductive Health) and had developed a plan to burn this clinic. Additionally, Reno discussed destroying other infrastructure targets to include federal buildings.

28. Based in part on the facts described above, the FBI obtained court-authorization to install location tracking devices on **VEHICLE 1** and **VEHICLE 2**. On June 19, 2022, law enforcement personnel installed tracking devices on **VEHICLE 1** and **VEHICLE 2**.

29. On July 3, 2022, a security guard (the “Security Guard”) was working a day shift at the Federal Building. At approximately 1:45pm, while heating up his lunch in the first-floor break room, the Security Guard heard two loud bangs emanating from the front lobby area of the Federal Building. The Security Guard immediately returned to the lobby of the Federal Building and observed damage to two lower adjacent windows facing Locust Street. The Security Guard next left the lobby and quickly proceeded to the rear exit door facing West Church Street. The Security Guard exited the building and walked to Locust Street to assess the damaged windows. The Security Guard observed two broken windows in the lobby area and a third broken exterior window in the Internal Revenue Service (“IRS”) office of the Federal Building. The damaged window in the IRS office was also facing Locust Street and approximately 20 feet north of the damaged lobby windows. All of the damaged windows were double paned. The exterior pane on each of the three windows had a discernable point of impact with radiating cracks from the point of impact to the window frame. The interior pane of each of the affected windows was undamaged.

30. An employee and contract project manager for the Federal Building indicated that the estimated cost to repair the damaged windows was approximately \$5,440.

31. On July 3, 2022, at approximately 11:16am, **VEHICLE 1** was captured by a license plate reader (“LPR”) camera located in the vicinity of Asheville Highway at John Sevier in Knox County. The **VEHICLE 1** driver appeared to be the sole occupant of **VEHICLE 1**. In the photograph there appears to be a white fedora style hat resting on the ledge below the rear window on the driver’s side of **VEHICLE 1**.

32. On July 3, 2022, at approximately 11:26am, the **VEHICLE 1** tracking device placed **VEHICLE 1** in the vicinity of the Bank of America Financial Center located at 550 West Main Street, Knoxville, TN.

33. At approximately 11:27am, a security camera on the Federal Building captured **VEHICLE 1** with a white object resting on the ledge below the rear window on the driver's side of the vehicle. **VEHICLE 1** was traveling westbound on Cumberland Avenue and making a left turn onto Locust Street.

34. At approximately 11:32am, the tracking device for **VEHICLE 1** placed **VEHICLE 1** in the vicinity of the United States Attorney's Office in downtown Knoxville. **VEHICLE 1** remained in this location for approximately two minutes before departing and traveling to a church attended by Reno, arriving at approximately 11:47am.

35. Less than two hours later, at approximately 1:37pm, the tracking device showed **VEHICLE 1** traveling southbound on North Central Street in the direction of downtown Knoxville. Several minutes later, at approximately 1:43pm, the tracking device showed **VEHICLE 1** in the vicinity of West Church and Locust Street, approximately one block north of the Federal Building. **VEHICLE 1** remained in this location for approximately two minutes.

36. At approximately 1:45pm, the tracking device placed **VEHICLE 1** adjacent to the Federal Building on Locust Street. Also, at 1:45pm, a security camera on the Federal Building captured **VEHICLE 1** traveling southbound on Locust Street. **VEHICLE 1** decreased its speed briefly in the vicinity of the first damaged window in the IRS office. The image of **VEHICLE 1** in this position was partially obscured by tree foliage. **VEHICLE 1** next accelerated and then immediately slowed to a brief stop in the vicinity of the second and third damaged windows in the lobby of the Federal Building. As **VEHICLE 1** was decelerating to a stop, what appeared to

be an object pointing in the direction of the damaged lobby windows was briefly extended and then retracted through the driver's side window. Finally, **VEHICLE 1** accelerated towards the traffic light on the corner of Locust Street and Cumberland Avenue. Based on my training and experience, as well as my participation in this investigation, it appears that Reno fired at least three projectiles out of **VEHICLE 1** to destroy the windows in the Federal Building.

37. At approximately 1:45pm, a security camera on the Federal Building captured **VEHICLE 1** traveling southbound on Locust Street and making a left turn onto Cumberland Avenue. **VEHICLE 1** was traveling in the wrong direction on a one-way street. At approximately 1:45pm, a security camera on the Federal Building captured **VEHICLE 1** traveling northbound on Walnut Street passing the entrance to the Federal Building parking garage. One minute later, at approximately 1:46pm, a security camera inside the Federal Building captured the Security Guard exiting the rear doors facing West Church Street. A security camera on the Federal Building captured the Security Guard walking towards Locust Street, parallel to West Church Street, along the side of the Federal building. After the Security Guard reached the Locust Street side of the Federal Building, he turned left and walked out of view from the camera. **VEHICLE 1** is captured traveling southbound on Locust Street. **VEHICLE 1** noticeably reduced speed when it was likely in view of the Security Guard. One minute later, at approximately 1:47pm, a security camera on the Federal Building captured **VEHICLE 1** traveling southbound on Locust Street and making a right turn onto Cumberland Avenue.

38. At approximately 1:55pm, the tracking device placed **VEHICLE 1** in the vicinity of I-40 and Asheville Highway in East Knox County. At approximately 1:56pm, an LPR camera captured **VEHICLE 1** in the vicinity of Asheville Highway at John Sevier Highway in Knox

County. At approximately 2:23pm, the **VEHICLE 1** tracking device placed **VEHICLE 1** at Reno's residence.

39. During the court-authorized search of **VEHICLE 1** on July 18, 2022, the FBI located **FIREARM 1** which was equipped with an unregistered "Solvent Trap" model suppressor. **FIREARM 1** was located on the rear bench seat of **VEHICLE 1**. An ammunition magazine was located adjacent to **FIREARM 1** and was loaded with subsonic ammunition.

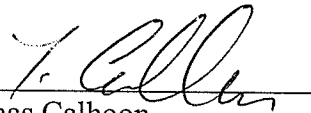
40. During the court-authorized search of Reno's cellphone, law enforcement personnel found multiple images of the Federal Building, indicating Reno had conducted surveillance of this location. A search of the device also revealed internet searches for "Solvent Trap" and ".22 caliber ammunition."

41. On July 18, 2022, Reno was arrested pursuant to a criminal complaint charging him with violating 18 U.S.C. § 1361 (Destruction of Government Property). On July 21, 2022, a detention hearing was held; after which Reno was ordered detained pending trial. On July 26, 2022, a grand jury returned a one count indictment charging Reno with violating 18 U.S.C. § 1361 (Destruction of Government Property). *See United States v. Mark Thomas Reno*, 3:22-CR-73, Doc. 13. On August 16, 2022, counsel for Reno filed a Suggestion of Death indicating that Reno died while receiving medical treatment on August 15, 2022. *See id.* at Doc. 19.

CONCLUSION

42. Based on the foregoing, there is probable cause to believe that the defendant properties were used by Reno to commit violations of 18 U.S.C. §§ 844(i) (Arson) and 1361 (Destruction of Government Property).

All of the above information is true and correct to the best of my knowledge.



Thomas Calhoon
Special Agent
Federal Bureau of Investigation

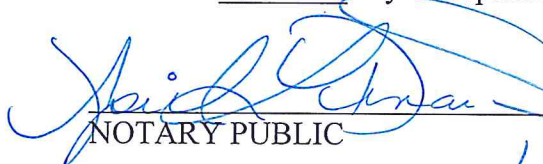
STATE OF TENNESSEE

COUNTY OF KNOX

On this 13th day of September 2022, before me, personally appeared Thomas Calhoon, in his capacity as a Special Agent with the Federal Bureau of Investigation, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal.

Subscribed to and sworn before me on this this 13th day of September, 2022.


NOTARY PUBLIC

My Commission Expires: 5/31/2026

